

2ND OFFENSE—90 day suspension from selling or supervising the sale of beer and retake the state alcohol training and any additional training a local authority may require;

3RD OR SUBSEQUENT OFFENSE—one year suspension and retake the state alcohol training and any additional training a local authority may require.

2. PENALTIES FOR STORES:

1ST OFFENSE—written warning;

2ND OFFENSE—\$250 civil fine;

3RD OFFENSE—\$500 civil fine;

4TH OR SUBSEQUENT OFFENSE—\$500 civil fine + 30 day suspension of beer sales + one year probation.

If a violation occurs during the period of probation—revocation of license to sell beer (cannot reapply for license for at least six months).

Failure to pay any fine within 30 days—immediate suspension of beer license until payment made, and revocation if payment not made within 30 days of suspension order.

If a store allows a suspended employee to sell or supervise the sale of beer during the suspension period, local authorities may immediately suspend the store's beer license.

Right to an Administrative Hearing

Any store or employee is entitled to a hearing upon request on any alleged violation by the local licensing authority.

Training Providers

- For a list of approved off-premise retailer alcohol training and education providers, visit easy.utah.gov

Footnotes

- 1 *National Research Council Institute of Medicine, REDUCING UNDERAGE DRINKING, p.459*
- 2 *American Medical Association Fact Sheet, 2003*
- 3 *Utah 2005 SHARP Survey*
- 4 *Grant, BF and Dawson, DA. JOURNAL OF SUBSTANCE ABUSE 9:103-110. 1997*
- 5 *Badge must be worn on the front of the employee's clothing, visible above the waist, bearing the employee's first or last name, initials, or unique identification in letters or numbers that must be sufficiently large to be clearly visible and identifiable.*
- 6 *Record must include the employee's full name, address, and driver license or similar identification number.*
- 7 *Utah Code 77-39-101*
- 8 *Utah Code 32A-12-203, 76-3-204, 76-3-301*

For more information on the harms of underage drinking and how to prevent it, visit



For Retail Outlets

E.A.S.Y.

Eliminate Alcohol Sales to Youth

Effective July 1, 2006



UTAH DEPARTMENT OF PUBLIC SAFETY HIGHWAY SAFETY OFFICE

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State of Utah

Department Of Public Safety

Why E.A.S.Y.?

The Underage Drinking Problem

Youth primarily obtain alcohol from adults and friends, and commercial outlets such as convenience and grocery stores.¹ The latest research shows that alcohol affects a teen brain differently than a mature adult brain. Yet few parents or youth realize that alcohol can damage and interfere with critical brain development during the teen years—development that is important to young people becoming mature, thoughtful, responsible adults. The American Medical Association advises that *“damage from alcohol at this time can be long term and irreversible.”*²

The average age a person takes their first drink in Utah is 12.3 years old, with many starting younger.³ Research also shows that 40% of those who start drinking before the age of 15 will become alcohol dependent.⁴ Binge drinking (4-5 drinks within a single sitting) starts in middle school and increases through the high school years, increasing the risk of addiction.

The E.A.S.Y. Law:

- Curtails youth access to alcohol in grocery and convenience stores; and
- Funds the ParentsEmpowered.org statewide media and education campaign to alert parents, families, and communities of the dangers of alcohol to the developing teen brain and increased risk of addiction from early use.
- The E.A.S.Y. Law was passed by the 2006 Legislature and may be viewed in its entirety at the Legislature’s website: www.le.state.ut.us — *Utah Code 32A-10-401, 32A-10-101.*

Summary for Off-Premise Retailers (i.e., Grocery & Convenience Stores)

Mandatory and Standardized Training

- Required for all grocery and convenience store employees who sell beer or directly supervise the sale of beer.
- Training must be completed within 30 days of the date of employment.
- Conducted by private companies and stores whose instructors and curriculum have been approved by the Utah Division of Substance Abuse and Mental Health (DSAMH). For a list of approved off-premise retailer alcohol training providers, visit easy.utah.gov
- Focuses on checking for valid ID, how to refuse a sale, and the reasons why it’s important not to sell alcohol to minors.
- Modest training fees paid by employee or store.
- Training certification good for five (5) years — retailers can verify training certification online: visit easy.utah.gov
- Immediate license suspension can be imposed against store for allowing untrained employees to sell or supervise the sale of beer.

Identification Badges

- Each store required to issue a unique identification badge to any employee who sells or directly supervises the sale of beer.⁵
- Store must maintain a record available for immediate inspection of all currently assigned badges.⁶

Random Compliance Checks

- Studies have shown that the most effective way to reduce sales to minors at retail outlets is to increase the frequency of random compliance checks.
- Law enforcement authorized to conduct **up to four (4) random alcohol sales compliance checks a year** for each retail store location using underage youth to attempt to purchase alcohol.⁷

Criminal Penalties for Clerks ⁸

- A person who negligently sells alcohol to a minor is guilty of a class B misdemeanor and is subject to up to 6 months in jail and a fine of up to \$1000.
- A person who knowingly sells alcohol to a minor is guilty of a class A misdemeanor and is subject to up to 1 year in jail and a fine of up to \$2500.

Administrative Penalties for Unlawful Sales to Minors

Administrative penalties are:

- In addition to criminal penalties.
- Assessed against both the employee and the store.
- Set by state statute but adjudicated by local government authorities as follows:

1. PENALTIES FOR STORE EMPLOYEES:

1ST OFFENSE—written warning and retake the state alcohol training;